

REMARKS

In the above-identified Office Action a requirement for new drawings was entered. In response, it is noted that such new drawings will be prepared and submitted shortly.

In that Office Action, the claims were also rejected as being obvious in view of a hypothetical combination of the cited Masuda, Tsunoda, and Tanaka patents. In response, Claim 1, the only independent claim in the application, has been amended and is believed to be patentable over the cited references for the reasons given below.

In particular, the image reading apparatus of the present invention includes a sliding member wherein an optical unit is provided with a screw portion. The specific structure is such that "the sliding member slides in contact with the guide member." Further, the sliding member is plastically deformable. With the present invention, the sliding member including the screw portion is in slide contact with the guide member, and, therefore, the structure of the present invention is simple in respect of adjusting the position of the optical unit and securing a positioning precision. Further, in addition to this structure, the screw portion is plastically deformable, thereby there will be less occurrence of loosening of the screw portion by movement of the optical unit.

The Office Action takes the position that ". . . to modify Masuda's spring portion with a screw portion and a screw hole portion being deformable" is obvious in view of Tsunoda (USP 4862218) and Tanaka (USP6053653). However, in Tsunoda, the member 119, which the Office Action indicates as corresponding to the screw portion, is to fix the end member 110 and the adjusting member 111 to the bent portion 114a of base plate 114 (from the lower part of Column 9 to the upper part of Column 10). The member 119 of Tsunoda does not make the

slide contact with the guide member. Therefore, the structure of the present invention, wherein the sliding member including the screw portion slides in contact with the guide member, is patentably distinct from the structure of Tsunoda. Further, it should be noted that with the invention of Tanaka, inner peripheral surfaces of holes are plastically deformable (Column 6, lines 58-62), and, thus, this structure is different from the structure of the present invention wherein the screw portion is plastically deformable.

In summary, none of the cited references, taken alone or in combination, disclose the above-characterized structure of the present invention. Accordingly, Applicant believes that independent Claim 1 and all of the dependent claims are allowable, wherefore the issuance of a Notice of Allowance is solicited.

The Commissioner is hereby authorized to charge fees or credit overpayment to Deposit Account No. 50-3939.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/John A. Krause/
John A. Krause
Attorney for Applicant
Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200